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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,724	03/04/2002	Michael F. Boucher	181601-1070	4814

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EXAMINER

PHU, SANH D

ART UNIT

PAPER NUMBER

2682

DATE MAILED: 05/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/090,724

Applicant(s)

BOUCHER ET AL.

Examiner

Sanh D Phu

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The IDS filed 3/04/2002 has been considered and recorded in the file.

Claim Rejections – 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Groner (6,507,643).

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Regarding to claim 1, 6 and 11, see Fig. 1, 2, 3 and 4, col. 5, line 5 to col. 6, line 51 and col. 7, lines 13–17, Groner discloses that a method/system for entering text (74) into an electronic device (70), the method/system comprising:

means (74)(Fig. 3) for entering text portion into the electronic device (70);

a first memory means (82, 120)(Fig. 3) for storing the text portion;

recording means (110)(Fig. 3) for recording a voice portion into the electronic device;

a second memory means (82, 112)(Fig. 3) for storing the voice portion;

means (84, 102) (Fig. 3) for associating the voice portion with the text portion;

means (84, 116) (Fig. 3) for using voice recognition to recall the text portion that is associated with the voice portion (see col. 6, lines 6–9);

means (158) (Fig. 4) for associating the text portion with information to be entered in the electronic device (see col. 7, lines 13–17); and

means (158) for inserting the text portion into the information to be entered in the electronic device (see col. 7, lines 13–17).

Regarding to claim 2, 7 and 12, Groner discloses that the method/system wherein the text portion (118) and the voice portion (122) are associated in the memory (see col. 5, line 5 to col. 6, line 52).

Regarding to claim 3, 8 and 13, Groner discloses that the method/system wherein voice recognition is used to identify the text portion (see col. 6, lines 6–9).

Regarding to claim 4, 9 and 14, Groner discloses that the method/system wherein the text portion and the voice portion are non-permanently associated (see col. 6, lines 50–51).

Regarding to claim 5, 10 and 15, Groner discloses that the method/system wherein the information to be entered is chosen from the group consisting of an email message system (SMS) message, a phonebook entry, an address, and text for an instant messaging message (see col. Col. 5, line 5 to col. 6, line 52).

Regarding to claim 16, Groner discloses that a system for entering text into an electronic device, comprising:

An input element for entering text portion into the electronic device (see (74), Fig. 3);

a first memory for storing the text portion (82, 120)(Fig. 3);

a software code segment for recording a voice portion into the electronic device (82, 110)(Fig. 3);

a second memory means for storing the voice portion (82, 112)(Fig. 3);

a software code segment (104) for associating the voice portion with the text portion (see col. 5, lines 51–62 and col. 7, lines 13–17);

a software code segment (104) for associating the text portion with information to be entered in the electronic device (see col. 5, lines 51–62 and col. 7, lines 13–17); and

voice recognition software (104) to recall the text portion that is associated with the voice portion, where the input element insert the text portion associated with the information to be entered into the electronic device (see col. 5, lines 51–62 and col. 7, lines 13–17).

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Regarding to claim 17, Groner discloses that the system wherein the text portion and the voice portion are associated in the memory (see col. 5, line 5 to col. 6, line 52).

Regarding to claim 18, Groner discloses that the system wherein voice recognition is used to identify the text portion (see col. 6, lines 6–9).

Regarding to claim 19, Groner discloses that the system wherein the software code segments for associating the voice portion with the text portion non-permanently associates the text portion and the voice portion (see col. 6, lines 50–51).

Regarding to claim 20, Groner discloses that the system wherein the information to be entered is chosen from the group consisting of an email message, a short message system (SMS) message, a phonebook entry, an address, and text for an instant messaging message (see col. Col. 5, line 5 to col. 6, line 52).

Conclusion

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanh D Phu whose telephone number is (703) 305-8635. The examiner can normally be reached on 8:00-16:30.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-8635.

Sanh D. Phu
Examiner
Art Unit 2682

SP


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